

THE STATE OF NEW HAMPSHIRE  
PUBLIC UTILITIES COMMISSION

DRM 14-095

**Puc Chapter 2500, Renewable Portfolio Standards**

**ORDER OF NOTICE**

On April 10, 2014, the Commission voted pursuant to RSA 541-A to initiate a rulemaking for N. H. Code Admin. Rules, Puc Chapter 2500, Renewable Portfolio Standards. The Commission's Initial Proposal is to readopt the existing Puc Chapter 2500 rules with amendments.

Puc Chapter 2500 regulates the renewable portfolio standards. The rules generally set the portfolio standards, regulate the issuance and transfer of certificates, establish the requirements to become a renewable energy source, establish metering and reporting standards, and govern the renewable energy fund. The initial proposal contains many amendments and updates to the rules, mostly relating to the following topics: the addition of "useful thermal energy" to the portfolio standards; changes to the percentage obligation of the classes of the portfolio standards; provisions for electricity providers to claim credit for net metered renewable energy facilities that are eligible for Class I or II certificates but have not applied to be certified; and to allow for certain electric generating facilities to co-fire with an eligible biomass fuel and gain certification for renewable energy certificates for the renewable fuel. Upon conclusion of the formal rulemaking process, the proposed amended rule will replace the current version of Puc Chapter 2500.

A rulemaking notice form (Notice), as required by RSA 541-A:6, was filed with the Office of Legislative Services on May 6, 2014, and has been sent to all regulated electric utilities, competitive electricity suppliers, and interested parties. The Notice established a public hearing to be held at the Commission on June 27, 2014, at 10:00 a.m. and a deadline for submission of

written comments on July 9, 2014. That Notice is appended hereto. Pursuant to RSA 541-A:6, III, this Order of Notice will also be provided by public notice advertisement in a publication of daily statewide circulation.

Following the public comment hearing on June 27, 2014, Staff will hold a technical session with interested parties for purposes of discussing the proposed amended rule.

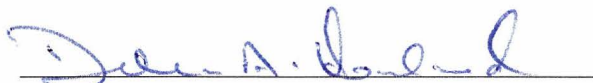
The Initial Proposal may be viewed on the Commission website, <http://www.puc.nh.gov/Regulatory/Docketbk/2014/14-095.html>, or copies may be obtained from the Commission as set forth in the Notice.

**Based upon the foregoing, it is hereby**

**ORDERED**, that a Public Hearing, pursuant to 541-A:11, be held before the Commission located at 21 South Fruit Street, Suite 10, Concord, New Hampshire on June 27, 2014, at 10:00 a.m. followed by a technical session, and that the deadline for submission of materials in writing or via e-mail shall be July 9, 2014, as set forth in the Notice; and it is

**FURTHER ORDERED**, that pursuant to RSA 541-A:6, III, the Commission shall undertake a public notice advertisement by publishing a copy of this Order together with the Notice no later than May 13, 2014, in a newspaper with a daily statewide circulation, publication to be documented by affidavit filed with the Commission on or before June 25, 2014.

By order of the Public Utilities Commission of New Hampshire this sixth day of May, 2014.



Debra A. Howland  
Executive Director

Individuals needing assistance or auxiliary communication aids due to sensory impairment or other disability, should contact the Americans with Disabilities Act Coordinator, NHPUC, 21 South Fruit Street, Suite 10, Concord, New Hampshire 03301; 603-271-2431; TDD Access: Relay N.H. 1-800-735-2964. Notification of the need for assistance should be made one week prior to the scheduled event.

NEW HAMPSHIRE DRAFTING AND PROCEDURE MANUAL  
APPROVED 1-6-12 TO BE EFFECTIVE 2-20-12

APPENDIX II-C

RULEMAKING NOTICE FORM

Notice Number \_\_\_\_\_ Rule Number Puc 2500

<p>1. Agency Name &amp; Address:</p> <p><b>Public Utilities Commission</b> <b>21 South Fruit Street</b> <b>Suite 10</b> <b>Concord, NH 03301</b></p>	<p>2. RSA Authority: <u>RSA 362-F:13</u></p> <p>3. Federal Authority: _____</p> <p>4. Type of Action:</p> <p>Adoption _____</p> <p>Amendment _____</p> <p>Repeal _____</p> <p>Readoption _____</p> <p>Readoption w/amendment <b>X</b></p> <p>_____</p>
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5. Short Title: **RENEWABLE PORTFOLIO STANDARD**

6. (a) Summary of what the rule says and of any proposed amendments:

Puc Chapter 2500 regulates the renewable portfolio standards. The rules generally set the portfolio standards, regulate the issuance and transfer of certificates, establish the requirements to become a renewable energy source, establish metering and reporting standards, and govern the renewable energy fund. The initial proposal contains many amendments and updates to the rules, mostly relating to the following topics: the addition of “useful thermal energy” to the portfolio standards; changes to the percentage obligation of the classes of the portfolio standards; provisions for electricity providers to claim credit for net metered renewable energy facilities that are eligible for Class I or II certificates but have not applied to be certified; and to allow for certain electric generating facilities to co-fire with an eligible biomass fuel and gain certification for renewable energy certificates for the renewable fuel.

6. (b) Brief description of the groups affected:

The rules affect providers of electricity, electric distribution utilities, sources producing renewable energy, consumers of renewable electricity.

**NEW HAMPSHIRE DRAFTING AND PROCEDURE MANUAL**  
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6. (c) Specific section or sections of state statute or federal statute or regulation which the rule is intended

<b>Rule</b>	<b>Statute</b>
Puc 2501.01	RSA 362-F:13
Puc 2501.02	RSA 362-F
Puc 2501.02(a)	RSA 362-F:13; RSA 362-F:3
Puc 2501.02(b)	RSA 362-F:13; RSA 362-F:6
Puc 2501.02(c)	RSA 362-F:13; RSA 362-F:10
Puc 2501.02(d)	RSA 362-F:13; RSA 362-F:6 and 7
Puc 2502.01	RSA 362-F:13; RSA 362-F:10
Puc 2502.02(a)	RSA 362-F:13; RSA 362-F:2, I; RSA 362-F:4, I(j)
Puc 2502.02(b)	RSA 362-F:13; RSA 362-F:2, I; RSA 362-F:4, I(j)
Puc 2502.03	RSA 362-F:13; RSA 362-F:2, II
Puc 2502.04	RSA 362-F:13; RSA 362-F:4, I(i)
Puc 2502.05	RSA 362-F:13; RSA 362-F:2, III
Puc 2502.06(a)	RSA 362-F:13; RSA 362-F:4, I(a), (c), (d), (e), and (f)
Puc 2502.06(b)	RSA 362-F:13; RSA 362-F:4, I(b), (g), and (l)
Puc 2502.06(c)	RSA 362-F:13; RSA 362-F:4, I(h)
Puc 2502.06(d)	RSA 362-F:13; RSA 362-F:4, I(i)
Puc 2502.06(e)	RSA 362-F:13; RSA 362-F:4, I(j)
Puc 2502.06(f)	RSA 362-F:13; RSA 362-F:4, I(k)
Puc 2502.07	RSA 362-F:13; RSA 362-F:4, II
Puc 2502.08	RSA 362-F:13; RSA 362-F:4, III
Puc 2502.09	RSA 362-F:13; RSA 362-F:4, IV
Puc 2502.10	RSA 362-F:13; RSA 362-F:4, I(k)
Puc 2502.11	RSA 362-F:13; RSA 362-F:2, IV
Puc 2502.12	RSA 362-F:13; RSA 362-F:2, XII
Puc 2502.13	RSA 362-F:13; RSA 362-F:2, V
Puc 2502.14	RSA 362-F:13; RSA 362-F:2, VI
Puc 2502.15	RSA 362-F:13; RSA 362-F:2, VII
Puc 2502.16	RSA 362-F:13
Puc 2502.17	RSA 362-F:13; RSA 362-F:2, VIII
Puc 2502.18	RSA 362-F:13; RSA 362-F:2, IX
Puc 2502.19	RSA 362-F:13
Puc 2502.20	RSA 362-F:13; RSA 362-F:6, I
Puc 2502.21	RSA 362-F:13; RSA 362-F:2, X
Puc 2502.22	RSA 362-F:13; RSA 362-F:6, I
Puc 2502.23	RSA 362-F:13; RSA 362-F:4, I(i)
Puc 2502.24	RSA 362-F:13; RSA 362-F:6, II
Puc 2502.25	RSA 362-F:13; RSA 362-F:2, XV-a
Puc 2502.26	RSA 362-F:13; RSA 362-F:2, XI
Puc 2502.27	RSA 362-F:13; RSA 362-F:6, II
Puc 2502.28	RSA 362-F:13; RSA 362-F:3
Puc 2502.29	RSA 362-F:13; RSA 362-F:2, XIII
Puc 2502.30	RSA 362-F:13; RSA 362-F:2, XIV

**NEW HAMPSHIRE DRAFTING AND PROCEDURE MANUAL**  
**APPROVED 1-6-12 TO BE EFFECTIVE 2-20-12**

<b>Rule</b>	<b>Statute</b>
Puc 2502.31	RSA 362-F:13; RSA 362-F:10
Puc 2502.32	RSA 362-F:13; RSA 362-F:2, XV
Puc 2502.33	RSA 362-F:13; RSA 362-F:3
Puc 2502.34	RSA 362-F:13
Puc 2502.35	RSA 362-F:13; RSA 362-F:2, XV-a
Puc 2502.36	RSA 362-F:13; RSA 362-F:12
Puc 2502.37	RSA 362-F:13; RSA 362-F:2, XV-a
Puc 2502.38	RSA 362-F:13; RSA 362-F:2, XV-a
Puc 2503.01	RSA 362-F:13; RSA 362-F:3
Puc 2503.02	RSA 362-F:13; RSA 362-F:10
Puc 2503.03	RSA 362-F:13; RSA 362-F:8
Puc 2503.04	RSA 362-F:13; RSA 362-F:6, II-a
Puc 2503.05	RSA 362-F:13; RSA 362-F:7
Puc 2504.01	RSA 362-F:13; RSA 362-F:6, IV
Puc 2504.02	RSA 362-F:13; RSA 362-F:7
Puc 2505.01	RSA 362-F:13; RSA 362-F:11
Puc 2505.02	RSA 362-F:13; RSA 362-F:11, I
Puc 2505.03	RSA 362-F:13; RSA 362-F:13, V
Puc 2505.04	RSA 362-F:13; RSA 362-F:4, I(l); RSA 362-F:11, III; RSA 362-F:12
Puc 2505.05	RSA 362-F:13; RSA 362-F:4, I(i)
Puc 2505.06	RSA 362-F:13; RSA 362-F:4, I(j)
Puc 2505.07	RSA 362-F:13; RSA 362-F:4, I(l)
Puc 2505.08	RSA 362-F:13; RSA 362-F:4, I(l)
Puc 2505.09	RSA 362-F:13; RSA 362-F:6, II
Puc 2505.10	RSA 362-F:13; RSA 362-F:12
Puc 2505.11	RSA 362-F:13; RSA 362-F:11, II
Puc 2505.12	RSA 362-F:13; RSA 362-F:11; RSA 362-F:12
Puc 2506.01	RSA 362-F:13; RSA 362-F:6
Puc 2506.02	RSA 362-F:13; RSA 362-F:7, II
Puc 2506.03	RSA 362-F:13; RSA 362-F:4, I(k)
Puc 2506.04	RSA 362-F:13, VI-a
Puc 2506.05	RSA 362-F:13, VI-a
Puc 2506.06	RSA 362-F:13, VI-z
Puc 2507.01	RSA 362-F:13; RSA 362-F:6, II
Puc 2507.02	RSA 362-F:13; RSA 362-F:6, II
Puc 2508.01	RSA 362-F:13; RSA 362-F:10
Puc 2508.02	RSA 362-F:13; RSA 362-F:10, I
Puc 2508.03	RSA 362-F:13; RSA 362-F:10, I
Puc 2508.04	RSA 362-F:13; RSA 362-F:10, I

APPENDIX II-C (Continued)

RULEMAKING NOTICE FORM

7. Contact person for copies and questions including requests to accommodate persons with disabilities:

Name:	<b>Michael Sheehan, Esq.</b>	Title:	<b>Staff Attorney</b>
Address:	<b>NH Public Utilities Commission 21 South Fruit Street Suite 10 Concord, NH 03301</b>	Phone #:	<b>603-271-6028</b>
		Fax#:	<b>603-271-4033</b>
		E-mail:	<b>Michael.sheehan@puc.nh.gov</b>

TTY/TDD Access: Relay NH 1-800-735-2964 or dial 711 (in NH)

8. Deadline for submission of materials in writing or, if practicable for the agency, in the electronic format specified: **July 9, 2014**

Fax

E-mail

Other format (specify):

9. Public hearing scheduled for:

Date and Time: **June 27, 2014 at 10:00 a.m.**  
**Public Utilities Commission**  
Place: **21 South Fruit Street, Suite 10**  
**Concord, NH 03301**

10. Fiscal Impact Statement (Prepared by Legislative Budget Assistant)

FIS #           **FIS 14:049**          , dated           **4/17/2014**          

11. Statement Relative to Part I, Article 28-a of the N.H. Constitution: **The proposed rules do not mandate or assign any new, expanded or modified programs or responsibilities to any political subdivision of the State of New Hampshire. They therefore do not violate Part I, Article 28-a of the N.H. Constitution by necessitating additional local expenditures by a political subdivision.**

## SERVICE LIST - EMAIL ADDRESSES - DOCKET RELATED

**Pursuant to N.H. Admin Rule Puc 203.11(a) (1): Serve an electronic copy on each person identified on the service list**

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Docket #: 14-095-1      Printed: May 06, 2014

### **FILING INSTRUCTIONS:**

- a) Pursuant to N.H. Admin Rule Puc 203.02 (a), with the exception of Discovery, file 7 copies, as well as an electronic copy, of all documents including cover letter with:  
DEBRA A HOWLAND  
EXEC DIRECTOR  
NHPUC  
21 S. FRUIT ST, SUITE 10  
CONCORD NH 03301-2429
- b) Serve an electronic copy with each person identified on the Commission's service list and with the Office of Consumer Advocate.
- c) Serve a written copy on each person on the service list not able to receive electronic mail.

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